

**MINUTES
CITY PLANNING COMMISSION
J. MARTIN GRIESEL CONFERENCE ROOM
TWO CENTENNIAL PLAZA – SUITE 700
805 CENTRAL AVENUE**

**APRIL 16, 2004
9:00 A.M.**

PRESENT

Appointed Members: Donald Mooney, Jr., Caleb Faux, Terry Hankner, Jacquelyn McCray,
Valerie Lemmie and James Tarbel

Community Development & Planning Staff: Margaret Wuerstle, Dave Efland, Adrienne Cowden,
Caroline Hardy-Kellum, Felix Bere, Velda Chapman, Virginia Vornhagen, Renee Christon

Law Department: Dotty Carman

MINUTES OF APRIL 2, 2004

Vote on approval of the minutes of the April 2, 2004 meeting.

Motion to Approve: V. Lemmie
Second: T. Hankner
Vote: All ayes (6-0) motion carries.

CONSENT ITEMS

Mr. Mooney: Does anyone want to remove or discuss any of the below items, or approve all?

1. ORDINANCE – Lease of portion of Red Bank Road to Nutone, Inc.
2. ORDINANCE – Accepting Water Main Easements – WSL #3393 Prebble Creek Condominiums
3. ORDINANCE – Exchanging Easements at West Third & Central.

Motion to Approve: Caleb Faux
Second: Jacquelyn McCray
Vote: All ayes (6-0) motion carries.

DISCUSSION

4. Ordinance – sale of property at 2836 Cortelyou in return for property on Faber Avenue.

Mr. Mooney remarked that he had read the material over, but had missed the earlier meetings on this subject. Those with experience on the item please explain the problem. Ms. Hankner said that it actually came to them as a consent item. When Ms. Hankner checked to make sure the neighbors had been notified, she found they had not. Notice was then sent out. Mr. Klocke (attending our meeting), a next-door neighbor, has come to us to offer \$11,000 to purchase the

property (at fair market value) as additional yard. Dottie Carman, staff lawyer, asked to speak on the issue, also. Mr. Klocke did not agree with Ms. Carman about suitability of “pre-fab” housing. Ms. Carman suggested he look at the manufactured homes in Carthage Mills. The Faber Avenue piece would be swapped and could be added to the Pearson Green House property in Westwood. Ms. Carman wanted the Cortelyou property set up for bid. However, Mr. Klocke then may not get the property. Mr. Klocke had earlier talked with a City department and was told adjourning property owners could have first right of refusal. Ms. Hankner noted that property owners had repeatedly asked the City about the purchase of this property. Ms. Carman disagreed. Mr. Tarbel knew the neighbors have kept up the property during the years and the City had not. Nor had the City made improvements, which had been promised. This and other issues indicated Mr. Klocke should be given the opportunity to buy the property at this point. Ms. Hankner moved to not accept the staff report and not put up the property for open bid. The Commission rejected the sale of property at 2836 Cortelyou in return for property on Faber Avenue. Ms. McCray suggested the City buy the Faber property for the housing development.

Motion to Approve: Ms. Hankner

Second: Mr. Tarbel

Vote: All nays (6-0) motion denied.

5. A report and recommendation on a nine-month extension of Interim Development Control (IDC) District #65 at the intersection of Hamilton Avenue and North Bend Road in College Hill.

Staff planner, Dave Efland (representing absent planner Katherine Keough-Jurs) reported that this extension would give suitable time to examine the impact to both parties and then come up with appropriate recommendations. Without the extension it would expire May 11, 2004. This extension would be good until February 2005, if Council grants approval. Speaker, Mr. Don Shuller as lawyer, represented the property owners of Shuller’s Wigwam Restaurant. This property has been for sale for about four years under current zoning laws. The owner now has a valid offer from a buyer, which could be cancelled if the extension is approved. Representatives of the College Hill Quorum and the College Hill Community Urban Redevelopment Corporation attended. The president of the College Hill Community Council spoke on the benefits of the extension to improve the neighborhood for the citizens and that the owner had never indicated any interest in the community meetings. Neighborhood groups are now conducting a market study, to be completed the week of June 14. Mr. Tom Jackson, speaking on Urban Renewal Plan, agreed on the extension being in the best interest of the community. Mr. Shuller (lawyer) then introduced the owner of the restaurant who said that he had only been contacted by the community group with requests to donate use of the property, not on requests to attend community meetings. He felt the study had been in place for a long enough time that it should not be extended because it would stop the sale of his property. Mr. Faux understood the plight of the property owner, however, we should allow the extension.

Motion to Approve: Mr. Mooney

Second: Ms. Hankner

Vote: All ayes (6-0) motion carries.

Special Item Reference: Felix Bere, Planner. On the Kennedy Heights -- Montgomery Road corridor. The study will not be ready until the end of June. The staff report will then be ready.

6. Ordinance – Queen City Square

Felix Bere, Planner, presented this item. The City is to accept property at 303 Broadway to facilitate new construction. Briefing on the TIF situation. Mr. Patrick Ewing, Economic Development Organization, pointed out this is the first of four ordinances to authorize the City to take conveyance of property and the City would then convey it to the Port Authority consistent with TIF laws. Mr. Faux noted conveyance was being made without putting the property up for bid and questioned if this could apply to the Cortelyou site and Council could waive the open bidding process on the Cortelyou property.

Motion to Approve: Mr. Faux
Second: Ms. Lemmie
Vote: All ayes (6-0) motion carries.

SPECIAL NOTE: Reference to Item #4. Because of the discussion arising out of Item #6 regarding the direct sale without open bidding, the Commission felt that the City should use that procedure to waive the bidding process on the Cortelyou property thus allowing its sale to the neighbor at fair market price.

Motion to Approve: Ms. Hankner
Second: Mr. Faux
Vote: All ayes (6-0) motion carries.

Ms. Lemmie, City Manager, spoke regarding TIF districts article in the newspapers. There are 11 TIF districts with over 20,000 parcels. The City is now working with governors and federal organizations, to come up with a solution. This idea is not something new; we are working with both Cleveland and Columbus. This would not be a detriment to the surrounding counties but rather would increase those counties' revenues. It is now being used in Illinois (Chicago).

OTHER BUSINESS

A letter regarding The Old Braun's Delicatessen property at the corner of West Liberty Avenue and Illiff Avenue, West Price Hill.

Adrienne Cowden presented Mr. William Bailey's letter. The project will be presented on April 29th to the Zoning Hearing Manager. Mr. Bailey is a neighbor and is in opposition to changing the zoning for this property and the variance. Mr. Mooney said the Board of Zoning Appeals should handle this question.

ADJOURNMENT

With no further business to consider, the meeting was adjourned.

Margaret A. Wuerstle, AICP
Chief Planner
Department of Community
Development & Planning

Donald Mooney, Chair
City Planning Commission

Date: _____

Date: _____

** FOR ADDITIONAL INFORMATION ON ANY AGENDA ITEM, PLEASE CALL 357-2885 **